

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HECTOR MELENDEZ, *on behalf of himself*
and all others similarly situated,

Plaintiff,

-against-

COSAN CONSTRUCTION CORP., et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 07/31/2023

21-CV-7426 (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed the parties' joint letter dated July 28, 2023 (Dkt. 52), notifying the Court that they have excised the "impermissible 'no-publicity' clause" which prevented the Court from approving their FLSA settlement as originally drafted, *see Melendez v. Cosan Constr. Corp.*, 2023 WL 4238913 (S.D.N.Y. June 28, 2023), and requesting that the Court now approve their fully-executed revised Settlement Agreement and Release (the Revised Agreement) (Dkt. 52-1) pursuant to *Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015).

Having carefully reviewed the financial and non-financial terms of the Revised Agreement, the Court finds that they are fair and reasonable as required by *Cheeks*, 796 F.3d at 199. Accordingly, the parties' joint letter-motion is GRANTED and the proposed settlement is APPROVED. In accordance with § C(1) of the Revised Agreement, the parties shall file their stipulation of dismissal no later than **August 7, 2023**.

Dated: New York, New York
July 31, 2023

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge